

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Lynchburg Division**

In re:)	Chapter 11, Subchapter V
)	
TOMMY DEWAYNE DOBSON,)	
ANNE CHRISTINE DOBSON,)	Case No. 23-60148
)	
Debtors.)	
)	
WILLIAM E. CALLAHAN, JR.,)	
SUBCHAPTER V TRUSTEE,)	
)	
Objecting Party,)	
)	
v.)	
)	
ROY WHITLEY,)	
MARY WHITLEY,)	
)	
Claimants.)	

**MOTION TO VACATE ORDER
SUSTAINING SUBCHAPTER V TRUSTEE’S OBJECTION TO CLAIM NO. 31-2**

William E. Callahan, Jr., Trustee, as the Subchapter V trustee in the above-captioned case (the “Trustee”), moves the Court to vacate the Order Sustaining the Subchapter V Trustee’s Objection to Claim No. 31-2, as follows:

1. The Court held a hearing on the Objection to Claim No. 31-2 (the “Objection”) on January 18, 2024. The Claimants did not file a response to the Objection and did not appear at the hearing on the Objection.

2. Following the hearing and the Court’s entry of the Order Sustaining the Subchapter V Objection to Claim No. 31-2 (the “Order”), the Trustee received information that

the Objection, the notice of hearing on the Objection and the deadline to respond to the Objection was served by mail at an address for the Claimants where the Objection, the notice of hearing and the deadline to object could not be delivered.

3. Cause exists for the Court to vacate the Order, to continuing the hearing on the Objection to April 17, 2024, and to set a deadline by which the Claimants must file a response to the Objection of not less than seven (7) days prior to the hearing date.

Respectfully submitted,

/s/ William E. Callahan, Jr., Trustee

William E. Callahan, Jr., Subchapter V Trustee
10 Franklin Road, S.E., Suite 900
P.O. Box 40013
Roanoke, VA 24022-0013
Telephone: (540) 983-9309
Facsimile: (540) 983-9400
Email: callahan@gentrylocke.com